THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.17906 of 2007

Between:

Madigani Yacob. … Petitioner

and

The Government of Andhra Pradesh,
Home Department and others.

… Respondents

ORDER:

This writ petition has been filed seeking a Writ of Mandamus declaring the action of respondents 2 and 3 and their men demanding the petitioner to show false recoveries and directing him to attend to the police station without there being any complaint against the petitioner as illegal and arbitrary.

It is stated that the petitioner belongs to Erukula caste. As thefts are being taken place in the Vedullapalli village, the petitioner is appointed as a Watchman to have regular watch over shops of certain owners and they are contributing certain amount towards the salary of the petitioner. While so, the 2nd and 3rd respondents are illegally interfering with the day-to-day life of the petitioner without any justification whatsoever and demanding the petitioner to show false recoveries and also making him to attend to the police station there being any complaint against the petitioner

If respondents 2 and 3 are illegally interfering with the day-to-day life of the petitioner and making him to attend to the police station without there being any cognizable offence committed by him, the said action is illegal and unsustainable and appropriate legal action requires to be taken against respondents 2 and 3. But, the petitioner, without making any representation before the higher official of police, straight away seeking a Writ of Mandamus is not just and proper.

Having regard to the facts and circumstances of the case, the writ petition is dismissed with a liberty to make representation before the higher official of police about the alleged illegal action of respondents 2 and 3. If

any such representation is filed, the concerned higher official shall consider and dispose of the same, as expeditiously as possible, without any undue delay. There shall be no order as to costs.

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31-08-2007

Prv